

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHRISTENSEN SHIPYARDS, LTD., a  
Washington corporation,

Plaintiff,

vs.

ST. PAUL FIRE AND MARINE  
INSURANCE COMPANY, *et al.*,

Defendants.

FILED UNDER SEAL

Case No.: CV6-641-C

MOTION TO FILE  
MOTION TO INTERVENE AND FOR  
PROTECTIVE ORDER UNDER SEAL

NOTE FOR HEARING:  
Friday, January 5, 2007

Pursuant to Local Rule 5(g), Privacy Ltd. and ETW Corporation request permission to file their Motion to Intervene and for Protective Order under seal. The following grounds support this request.

1. Local Rule 5(g) provides that materials in a court file or record may be sealed "on a compelling showing that the public's right of access is outweighed by the interests of the public and the parties in protecting files, records, or documents from public review."

2. Privacy Ltd. and ETW Corporation (collectively, "Intervenors") are filing the enclosed Motion to Intervene and for Protective Order ("Motion") in order to intervene in this action for the limited purpose of seeking a protective order prohibiting the disclosure of highly

Motion to File Motion to Intervene  
CV6-641-C

- 1 -

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ORIGINAL

1 confidential information, which was produced under a stringent protective order in *Woods, et al.*  
2 *v. Christensen Shipyards, Ltd., et al.*, Civil Action No. 04-61432 (United States District Court for  
3 the Southern District of Florida) ("Underlying Lawsuit"). Specifically, Intervenor seek to  
4 protect from disclosure in this insurance coverage dispute - between Christensen Shipyards, Ltd.  
5 (the defendant in the Underlying Lawsuit) and its insurance carriers - highly confidential  
6 business and personal information that has nothing whatsoever to do with the instant action.

7  
8 3. Much of the information set forth in Intervenor's Motion, as well as the  
9 documents at issue, are subject to a protective order entered by the United States District Court  
10 for the Southern District of Florida, which restricts their disclosure and mandates that they be  
11 filed in that case only under seal. (1/4/06 Order.)

12 4. In the instant action, Defendant insurance carriers have served extremely overly  
13 broad discovery requests upon Christensen, which seek production of all of the confidential  
14 documents produced by plaintiffs in the Underlying Lawsuit, as well as any privileged and  
15 confidential work-product that relates or refers to those same documents. Christensen has  
16 recently filed a Motion for Protective Order to prevent disclosure of these documents, and  
17 Intervenor seek to intervene to provide the Court with necessary and unique information about  
18 the documents at issue and the specific harm that would result should their highly confidential  
19 information be produced in this action.

20  
21 5. Because it is necessary for Intervenor to describe in some detail the confidential  
22 information at issue and provide private facts in support of their Motion (information which is  
23 already protected pursuant to the protective order entered in the Underlying Lawsuit), they seek  
24 permission to file their Motion under seal. There is no public interest in the disclosure of these  
25 purely private matters, and, in contrast, Intervenor would suffer significant harm and prejudice

1 if their Motion is not filed under seal.

2 6. Accordingly, Intervenor respectfully request permission to file their entire  
3 Motion and all supporting materials under seal.

4 DATED this 18th day of December, 2006.

5 VENABLE LLP,

6  
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CERTIFICATE OF SERVICE

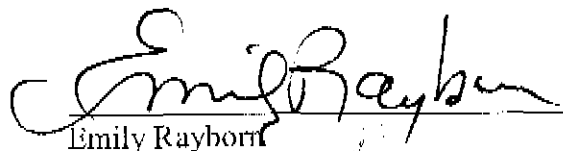
I hereby certify that a copy of the foregoing was served this 18th day of December 2006,  
by facsimile and by U.S. Mail in a sealed first class postage prepaid envelope addressed to:

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